

**Annex 5**

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**PROCEDURES FOR THE APPROVAL OF CONTAINERS COMPLYING WITH THE TECHNICAL CONDITIONS PRESCRIBED IN ANNEX 4****General**

1. Containers may be approved for the transport of goods under Customs seal either:

(a) at the manufacturing stage, by design type (procedure for approval at the manufacturing stage); or

(b) at a stage subsequent to manufacture, either individually or in respect, of a specified number of containers of the same type (procedure for approval at a stage subsequent to manufacture).

**Provisions common to both approval procedures**

2. The competent authority responsible for granting approval shall issue to the applicant, after approval, a certificate of approval valid, as the case may be, either for an unlimited series of containers of the approved type or for a specified number of containers.

3. The beneficiary of approval shall affix an approval plate to the approved container or containers before their use for the transport of goods under Customs seal.

4. The approval plate shall be affixed permanently and in a clearly visible place adjacent to any other approval plate issued for official purposes.

5. The approval plate, conforming to model No. 1 reproduced in appendix 1 to this Annex, shall take the form of a metal plate measuring not less than 20 cm by 10 cm. The following particulars shall be stamped into or embossed on the plate or indicated on its surface in any other permanent and legible way, in at least the English or the French language

(a) the words "Approved for transport under Customs seal";

(b) an indication of the country in which approval was granted either by name or by means of the distinguishing sign used to indicate the country of registration of motor vehicles in international road traffic, and the number (figures, letters, etc.) of the certificate of approval and the year of approval (e. g. "NL/26/73" means "Netherlands, certificate of approval No. 26, issued in 1973");

(c) the serial number assigned to the container by the manufacturer (manufacturer's number);

(d) if the container has been approved by type, the identification numbers or letters of the type of container.

6. If a container no longer complies with the technical conditions prescribed for its approval, it shall, before it can be used for the transport of goods under Customs seal, be restored to the condition which had justified its approval, so as to comply again with the said technical conditions.

7. If the essential characteristics of a container are changed, the container shall cease to be covered by the approval and shall be reapproved by the competent authority before it can be used for the transport of goods under Customs seal.

**Special provisions for approval by design type at the manufacturing stage**

8. Where the containers are manufactured by type series, the manufacturer may apply to the competent authority of the country of manufacture for approval by design type.

9. The manufacturer shall state in his application the identification numbers or letters which he assigns to the type of container to which his application for approval relates.

10. The application shall be accompanied by drawings and a detailed design specification of the container type to be approved.

11. The manufacturer shall give an undertaking in writing that he will:

(a) produce to the competent authority such containers of the type concerned as that authority may wish to examine;

(b) permit the competent authority to examine further units at any time during the production of the type series concerned;

(c) advise the competent authority of any change, of whatever magnitude, in the design or specification before proceeding with such change;

(d) mark the containers in a visible place with, in addition to the markings required on the approval plate, the identification numbers or letters of the design type and the serial number of the container in the type series (manufacturer's number);

(e) keep a record of containers manufactured to the approved design type.

12. The competent authority shall state what changes, if any, must be made to the proposed design type so that approval may be granted.

13. No type-approval by design type shall be granted unless the competent authority has satisfied itself by examination of one or more containers manufactured to the design type concerned that containers of that type comply with the technical conditions prescribed in Annex 4.

14. When a container type is approved there shall be issued to the applicant a single certificate of approval conforming to model No. II reproduced in appendix 2 to this Annex and valid for all containers manufactured in conformity with the specifications of the type so approved. Such certificate shall entitle the manufacturer to affix to every container of the type series an approval plate in the form prescribed in paragraph 5 of this Annex.

**Special provisions for approval at a stage subsequent to manufacture**

15. If approval has not been applied for at the manufacturing stage, the owner, the operator, or the representative of either, may apply for approval to the competent authority to which he is able to produce the container or containers and for which he seeks approval.

16. An application for approval submitted under paragraph 15 of this Annex shall state the serial number (manufacturer's number) placed on each container by the manufacturer.

17. When the competent authority has ascertained that the container or containers comply with the technical conditions prescribed in Annex 4, by examination of as many containers as it considers necessary, it shall issue a certificate of approval conforming to model No. III reproduced in appendix 3 to this Annex and valid solely for the number of containers approved. Such certificate, which shall bear the manufacturer's serial number or numbers assigned to the container or containers to which it relates, shall entitle the applicant to affix to each container so approved the approval plate prescribed in paragraph 5 of this Annex.